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Report of the International Court of Justice

Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 16 of the Terms of Reference, Guidelines and Rules of the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, as revised in 2004 (A/59/372, annex),[1] and is subsequent to the report submitted to the General Assembly at its fifty-ninth session under the agenda item entitled "Report of the International Court of Justice" (A/59/372).

II. Mandate

2. The Trust Fund was established in 1989 under the Financial Regulations and Rules of the United Nations following consultations with the President of the International Court of Justice. In accordance with the Revised Terms of Reference, financial assistance is to be provided to States for expenses incurred in connection with (a) a dispute submitted to the Court by way of a special agreement, on the basis of Article 36, paragraph 1 of its Statute; (b) a dispute submitted to the Court by way of an application on the basis of Article 36, paragraphs 1 and 2, of its Statute, provided certain conditions are fulfilled (see A/59/372, annex, para. 6 (ii)); or (c) the execution of a judgment of the Court.

III. Beneficiaries

3. Subject to the requirements of paragraph 6 of the Terms of Reference, an application for financial assistance from the Fund may be submitted by any State

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Member of the United Nations, any other State party to the Statute of the International Court of Justice or any State not party to the Statute of the Court having complied with Article 35, paragraph 2, of the Statute.

4. During the period under review (1 July 2004 to 30 June 2005), the Fund did not receive any application.

IV. Contributions

5. Voluntary contributions to the Fund may be made by States, intergovernmental organizations, national institutions and non-governmental organizations, as well as natural and juridical persons.

6. During the period under review, States contributed to the Fund as follows:

State	*Amount (United States dollars)*	*Financial year*
Finland	12 960.83	2004
Norway	9 975.00	2004
Mexico	5 000.00	2005
Total	**27 935.83**	

7. As at 30 June 2005, the total balance of the Fund was $2,008,766.47. This amount excludes awards that have already been paid.

V. Needs assessment

8. The Charter of the United Nations, in Article 1, paragraph 1, recognizes the settlement of international disputes "by peaceful means, and in conformity with the principles of justice and international law" as one of the basic purposes of the United Nations and as an essential tool for the maintenance of international peace and security. The Court is the principal judicial organ of the Organization. As noted above, the Fund was created with a view to facilitating a decision by parties to a dispute to seek judicial settlement of their dispute through the Court. As noted in my previous reports, despite numerous appeals, the Fund has had a decreasing level of resources since its inception. While I am grateful to those Member States which contributed during the period under review, I note that the number of contributions remains low. Thus, I strongly urge all States and other relevant entities to give serious consideration to making contributions to the Fund, not only in a substantial manner but also on a regular basis.

VI. How to contribute

9. Voluntary contributions to the Fund can be made by bank transfer or by cheque to the order of the United Nations. Cheques should be sent to:

Cashier's Office
United Nations
New York, NY 10017
United States of America

The cheque should indicate that it is for the "ICJ Trust Fund", account code TJA.

10. For any additional information, please contact the Office of the Legal Counsel, Office of Legal Affairs (telephone: + 1 212 963 5350; fax: + 1 212 963 6430).

Notes

[1] Available at the website http://www.un.org/law.trustfund/trustfund.htm.